

Pappas, Peter-Anthony

From: Benson, Carl [CBenson@goodwinprocter.com]
Sent: Friday, March 19, 2010 3:14 PM
To: Pappas, Peter-Anthony
Cc: Scott Jr, Thomas J
Subject: FW: Application Serial No. 08/442,383

Examiner Pappas,

As you requested in our telephone call, the email of earlier today is edited below to correct the citation in the third paragraph.

From: Benson, Carl
Sent: Friday, March 19, 2010 10:21 AM
To: 'Pappas, Peter-Anthony'
Cc: Scott Jr, Thomas J
Subject: Application Serial No. 08/442,383

Examiner Pappas,

In response to our conversation yesterday, the following is our explanation of the support from the 1981 specification for the claim 2 as set forth in the proposed amendment of our March 16 email.

As we previously set forth, the signal processor disclosed in the 1981 specification includes both permanent operating instructions in read only memory 21 and reprogrammable operating instructions in programmable random access memory (PRAM) controller 20. The receiver station operates under control of the instructions of reprogrammable controller 20. '490 col. 8, II. 25-27, col. 9, II. 20-25. The controller controls the "gate keeping" function of the signal processor by controlling which signals are received and processed and controlling how the received signal are processed. This control takes various forms including 1) controlling the fashions by which digital detectors detect embedded digital signals, '490 col. 7, II. 1-5, 2) controlling which signals are tuned to, '490 col. 7, II. 18-21, 3) controlling how decoders process incoming signals, '490 col. 8, 32-35, 4) controlling how received signals are assembled into instructions, col. 8, II. 35-37, and 5) controlling how incoming encrypted signals are decrypted, col. 14, II. 46-54. This "gate keeping" function extends to controlling the decoders that decode the signals that are provided not only to the signals processor but also to controlling the decoders that provide signals to all the devices that receive embedded control signals. '490 Figure 5, col. 17, II. 27-33. Thus, in the receiver station context, signal processor (200 in Figure 6) functions to control which signals are received and passed to the various devices such as microcomputer 205. The receiver station operates under the control of the programming of the signal processor 200, which at its core is controlled by controller 20.

The receiver station, operating under the control of the signal processor with controller 20, may be reprogrammed from remote sources. '490 col. 9, II. 21-23, col. 10, II. 10-13. The receiver station may initiate this reprogramming. '490 col. 15, II. 20-25. The result is that the receiver station is able to be reprogrammed from remote sites to control which signals are received and processed and to control how received signals are processed. This permits the control of video presentations at the receiver station in accordance with the intentions of the suppliers of the programming at the remote sites. '490 col. 22, II. 15-20.

In light of the above, the 1981 specification supports storing operating instruction, for example in programmable controller 20. The receiver station may request that the signal processor at the receiver station receive additional signal necessary to control the reception of incoming transmissions. The additional signals are received, stored and implemented by the signal processor. Executing the instructions of these signals causes the reprogrammed signal processor to control the reception of further incoming transmissions. These incoming transmission are processed under the control of the signal processor to enable the output of video programming as disclosed in the

various embodiments illustrated in Figures 5 and 6.

We look forward to discussing this support with you this afternoon at 2:30.

Carl L. Benson
GOODWIN | PROCTER LLP
901 New York Avenue, N.W.
Washington, D.C. 20001
T: 202.346.4018
F: 202.346.4444
www.goodwinprocter.com

IRS CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This message is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail and delete this message. Thank you.
